

# **BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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## **FACSIMILE COVER SHEET**

**Fax Transmission To**

*Teresa Lindsay*

*USPTO*

*703-872-9314*

**Regarding**

*09/213,096; 082771.P270C*

*(15 pages including cover page)*

**Fax Transmission From**

*Corrinn Reynolds for William W.*

*5/7/03*

*Teresa,*

*I apologize for the confusion on our fax filing on 4/29; I inadvertently neglected to change the page number on the cover sheet - the amendment and attendant transmittals were only 14 pages, not 20, so you should have everything. Just to be sure, I'm refaxing them. Please call me if you have any questions.*

*Thanks very much.*

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**If you do not receive all the pages, or if there is any difficulty in receiving, please call (714) 557-3800 and ask for Corrinn Reynolds.**

### **CONFIDENTIALITY NOTE**

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Official

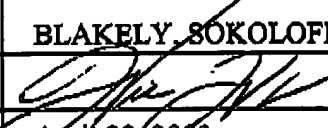
PTO/SB/21 (08-00)


Approved for use through 10/31/2002. OMB 0851-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/213,096
		Filing Date	December 17, 1998
		First Named Inventor	Mohan V. Kalloum
		Group Art Unit	2664
		Examiner Name	Frank Duong
Total Number of Pages in This Submission	13	Attorney Docket Number	82771P270C

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 50px; width: 150px; margin-top: 10px;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 29, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile under 37 CFR § 1.8 on:			
			April 29, 2003
Typed or printed name	Corrinn R. Reynolds		
Signature		Date	April 29, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

**Complete if Known**

Application Number	09/213,096
Filing Date	December 17, 1998
First Named Inventor	Mohan V. Kalkunte
Examiner Name	Frank Duong
Group/Art Unit	2664
Attorney Docket No.	82771P270C

**METHOD OF PAYMENT (check one)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account
Deposit  
Account  
Number

02-2666

Deposit  
Account  
Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments
- ☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
- ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
24	24	0	\$0.00
Independent Claims	4	0	\$0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					0.00

\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	65	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920	* Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840	* Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	830	2253	405	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1450	130	2450	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(c)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1808	730	1808	375	Filing a submission after final rejection (37 CFR § 1.128(e))	
1810	730	2810	375	For each additional invention to be examined (37 CFR § 1.128(b))	
1801	730	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY**

Name (Print/Type) William W. Schaal

Registration No.  
(Attorney/Agent)

39,018

Telephone

(714) 557-3800

Signature

Date

04/29/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



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429-08

Our Docket No.: 82771P270C

#9/10/03  
m  
5-9-03**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2664****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Application of:**

Mohan V. Kalkunte et al.

Application No.: 09/213,096

Filed: December 17, 1998

**For: METHOD AND APPARATUS FOR  
PRESERVING FLOW ORDER ACROSS  
LINKS OF A MULTI LINK TRUNK**

Examiner: Frank Duong

Art Group: 2664

Date of Mailing of Office Action:  
02/05/2003**AMENDMENT AND RESPONSE UNDER 37 CFR §1.116***Please  
kindly  
not enter  
in  
5/12/03*  
**BOX NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, DC 20231-9998**

Sir:

In response to the outstanding Office Action, mailed February 5, 2003, Applicants submit the following claims and arguments:

**IN THE CLAIMS**

Following is a complete set of claims as amended with this Response.

- 1 1. (Currently Amended) A method for improving receive performance in a data network,  
2 the method comprising:  
3 receiving up to a plurality of indications denoting the start of frame transmission on a  
4 corresponding plurality of communication links;  
5 identifying [that at least one of the received indications denote] the start of a flow by  
6 analyzing information embedded within at least one received frame;

82771P270C  
Pat. App. No. 09/213,096

-1-

WWS/crr